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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARICHU SUAREZ BAOANAN,	:	08 Civ. 5692 (VM)
	:	
Plaintiff,	:	
	:	<u>CONDITIONAL</u>
- against -	:	<u>ORDER OF DISCONTINUANCE</u>
	:	<u>WITHOUT PREJUDICE</u>
LAURO LIBOON BAJA, JR. et. al.,	:	
	:	
Defendants.	:	
-----X	:	

VICTOR MARRERO, United States District Judge.

Counsel for plaintiff, on behalf of the parties, having notified the Court, by letter dated April 25, 2011, a copy of which is attached, that the parties have reached an agreement in principle to resolve this action without further litigation, it is hereby

ORDERED, that this action be conditionally discontinued without prejudice and without costs; provided, however, that within thirty(30) days of the date of this Order, the parties may submit to the Court their own Stipulation of Dismissal for the Court to So Order. Otherwise, within such time plaintiff may apply by letter for restoration of the action to the active calendar of this Court in the event by the deadline indicated the settlement is not consummated. Upon such notification, the defendants shall continue to be subject to the Court's jurisdiction, the Court shall promptly reinstate the action and any pending motions to its active docket and the parties shall be directed to appear before the Court,

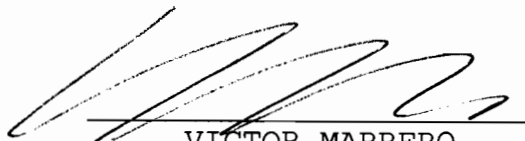
without the necessity of additional process, on a date within ten days of the plaintiff's application for reinstatement, to schedule remaining pre-trial proceedings and/or dispositive motions, as appropriate. This Order shall be deemed a final discontinuance of the action with prejudice in the event plaintiff has not requested restoration of the case to the active calendar within such period of time.

Any further conferences with the Court are canceled but shall be rescheduled as set forth above in the event plaintiff notifies the Court that the parties' settlement was not effectuated and that such conference is necessary to resume pretrial proceedings herein.

The Clerk of Court is directed to terminate any pending motions and to close this case.

SO ORDERED.

Dated: NEW YORK, NEW YORK
28 April 2011


VICTOR MARRERO
U.S.D.J.

**ASIAN AMERICAN LEGAL DEFENSE AND EDUCATION FUND**

99 HUDSON STREET, 12th FL, NEW YORK, NY 10013-2815 212.966.5932 FAX 212.966.4303

April 25, 2011

Via Facsimile: (212) 805-6382

The Honorable Victor Marrero
United States District Judge
Southern District of New York
United States Courthouse - Suite 660
500 Pearl Street
New York, New York 10007

Re: *Marichu Suarez Baoanan v. Lauro Liboon Baja, et al.*, 08-CV-5692 (VM)

Dear Judge Marrero:

We represent Plaintiff Marichu Suarez Baoanan in the above-referenccd matter and respectfully submit this letter to notify the Court that the parties have reached a settlement agreement in principle. In contemplation of the parties' settlement agreement, we request that the status conference scheduled on Friday, May 20, 2011 at 12:30 pm be adjourned.

Thank you for your attention to this matter.

Respectfully submitted,

Ivy O. Suriyopas, Esq.

cc: Salvador E. Tuy, Attorney for Defendants, Prado & Tuy, LLP (via email)
Stephen Rinehart, Co-Counsel for Plaintiff, Troutman Sanders LLP (via email)